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# PIERPONT'S PAMPHLET.

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FROM THE NORFOLK, VA., NEW REGIME OF FRIDAY, JUNE 24TH, 1861.

We have refrained from making much comment on this effort of his would-be Excellency of Virginia, wherein he sets himself up as the Patron Saint of whiskey smugglers, because we knew investigations were in progress which would reveal at once the justice and propriety of General Butler's action, the guilt of the parties, and the complicity of Peirpoint with the whiskey smugglers and felons of Norfolk. It may be asked, what motive could Peirpoint have to make the attack on Gen. Butler in behalf of the whiskey and salt smugglers ; in the language of Daniels, his co-conspirator, " to effect his removal, and hope some day to be successful," if possible. This may well be asked, for Judas, even, did not act without a motive. The secret is this : The so-called Restored Government of Virginia has no territory over which to attempt jurisdiction, save the cities of Alexandria, Norfolk, and Portsmouth, all garrisoned by Union troops and under martial law, and its staple revenues are its impositions upon trade in the shape of licenses. Bar-rooms and corner groceries are peculiarly Southern institutions, and, if not restrained, would be very prevalent, and a source of great income. If the sale of whiskey is stopped by military orders in these cities, the Treasury of the Commonwealth of Virginia would lose its principal support, become bankrupt, and his Excellency get no salary. Besides, if General Butler could be removed, then Zantzinger and Daniels would have a claim for their confiscated whiskey (say \$14,000), and could divide with the Governor, as they have with Rogers and Sewall, as will be seen hereafter. Therefore, Peirpoint has complained to the War Department of General Slough, at Alexandria, and of General Butler, at Norfolk, because they stopped the indiscriminate sale of whiskey in their commands ; and failing to get the bar-rooms opened by an order from the War Department, the Governor publishes a pamphlet.

Peirpoint makes Zantzinger and Daniels his pet case of grievance suffered under, what he is pleased to call, the " abuse of military power

in the command of General Butler." It is the first case which he put forward as a specimen, introducing it with a flourish of trumpets.

"It is incredible." "The firm was one of the largest in Norfolk." "Now, he asks the impartial judgment of any man living, what was there in this case to inflict this punishment?" "Was it [the liquor] smuggled?" "Zantzinger is the brother-in-law of Commodore Farragut;" "*A Member of the Loyal Legislature of Virginia.*" "Daniels is a loyal business man." "The *animus* of Gen. Butler can only be seen by connecting this case with Hodgkins' case."

General Butler cannot, of course, re-examine all the cases decided in his Provost Court, and acted upon by his Provost Marshal, nor does he deem it necessary; but as Peirpoint had made Zantzinger and Daniels a test case, General Butler determined, as soon as his duties would permit, to investigate this case in person, and exhibit both the Governor and his coadjutors to the citizens of his Department, that they may see of what kind of people the "Restored Government" of Virginia is made. The General, therefore, procured the evidence which is in the first paper printed below, and then confronted the several guilty parties with it, and took their confessions under oath, which establish beyond a doubt the following propositions:

1st. That Zantzinger and Daniels smuggled into Norfolk seventy-five (75) casks of liquor, in violation of military permit, and in breach of the blockade, under the name of cider vinegar, fifty-three (53) of which Peirpoint complains General Butler confiscated and sold for \$14,000, at public auction, and which has since gone to the relief of the wounded soldiers.

2d. That Zantzinger and Daniels bribed the Master of the schooner "L. B. Cowperthwaite," Henry C. Rogers, paying him \$1,750 to defraud the Government, by shipping this liquor and 450 sacks of salt into Norfolk, under a forged and false manifest.

3d. That Zantzinger and Daniels corrupted the Revenue Officer, Lieut. Sewall, by the payment of \$750, to pass in this liquor and salt in dereliction of his duty, and in fraud of the revenue.

4th. Being put upon their trial before the Provost Court, Zantzinger and Daniels suborned their clerk, William Knight, to commit wilful and corrupt perjury to sustain their fraud, well knowing when they called Knight as a witness that he would commit perjury in their behalf.

5th. That Zantzinger and Daniels also suborned Lieut. Sewall to cover up his and their crime by deliberate and wilful perjury before the Provost Court, by swearing that Zantzinger and Daniels had no contraband goods on board of vessels consigned to them, when they and Sewall both knew that he was bribed to pass in such goods.

6th. That would-be Governor Peirpoint in his anxiety to make a case against General Butler, and to get him removed from his command so that His Pseudo Excellency's salary might be drawn from the licenses for the sale of whiskey, against the earnest entreaty of Zantzinger and Daniels, who knew justice had been done them, and hardly enough of that, designedly persisted in publishing this case as an abuse of military power, thus rendering himself an accomplice with smugglers, aiders of the enemy, disloyal men, corruptors of officers, bribers and suborners of perjury. Of such are the Restored Government of Virginia.

It will farther appear from Peirpoint's letter to Zantzinger that he now knows the wrong he has done General Butler, and is too base to do justice and recant, although his associates in crime desire him to do so.

Pierpoint has seen how General Meade treats a libeller who endeavor ed to weaken the confidence of his soldiers and the Government in their commander; and those who know General Butler would advise His Whiskey-Smuggling-Defending-Excellency not to come into General Butler's Department.

As to Zantzinger and Daniels we do not suppose that General Butler will punish them further. He knew from the beginning their crimes against the United States, and punished them. He has vindicated the action of the Government and its officers against the accusation of Peirpoint and his associate felons, and if they have any further accusations to bring he would be happy to deal with them in like fashion. He has furnished the "Restored Government" of Virginia with the fullest evidence that these men and their associates have been guilty of perjury, and subornation of perjury, and will now calmly wait to see if that "*Restored Government*" has vitality enough to punish such offenders in its principal city, or only strength sufficient to receive license money for selling rot-gut whiskey.

Hodgkins' case carries its own refutation with it in Peirpoint's statement. Hodgkins was a soldier in the rebel army, occupying another rebel's store in Norfolk, to sell the goods of another rebel firm who had run away. General Butler advised the Treasury Agent, Major Morse, to turn Hodgkins out and lease the premises on behalf of the United States to a loyal man, which was done.

We can assure Peirpoint that any other of his friends and supporters in like condition with Hodgkins, will be served the same way, as soon as their cases come to the knowledge of General Butler, so that if Peirpoint will only disclose the true condition as to loyalty and honesty of his friends in Norfolk, he can get another book of grey goose for a present.

## READ THE DOCUMENTS.

*Captain A. F. Puffer, A. D. C. :*

DEAR SIR :—Your favor of the 25th received. Will now proceed to furnish you with the evidence in question.

The whiskey seized by General Butler from Zantzing and Daniels, was purchased here from John Scrymser & Co., No. 124 Front street, in the name of C. H. Pierson, and the bill is dated October 28th, 1863. Said whiskey was shipped on board the schooner "L. B. Cowperthwaite," Captain Henry Rogers, then lying at the pier, foot of Franklin street, North River, on the 31st of October. The vessel was cleared from the Custom House on the 31st October, and sailed from here November 4th, 1863. The following is a description of the liquor, as per bill rendered by Scrymser & Co. :

A G, 1 bbl. apple brandy ; B C, 5 bbls. apple brandy ; A, 3 bbls. whiskey ; B, 8 bbls. do. ; C, 14 bbls. do. ; D, 40 bbls. do. There was also 4 bbls. whiskey, independent of the above lot, making in all 75 bbls. liquor. All the above barrels were marked across the heads with a stencil plate (Cider Vinegar). Mr. Zantzing was here and superintended the purchase and shipment of the goods personally. The permit under which these goods were shipped called for 50 bbls. vinegar, only 10 of which were shipped, the whiskey being substituted for the balance. (I think Zantzing has a bill for 40 bbls. vinegar furnished for the occasion.)

There was shipped also, at the same time, on board the same vessel, 1000 sacks salt, when the permits only called for 550 sacks. One permit called for 50 sacks, and one for 500 sacks. The balance of the cargo was made up of coal, fish, &c. This vessel arrived at Norfolk on the 7th November, 1863, and was discharged immediately after her arrival. I am aware that one official received \$700 for not seeing anything wrong when the vessel was discharging. (Shall omit names.)

This statement is positive and true. I am willing to affirm to everything herein stated, and accord to the General, if he so desires, the privilege of appending the oath hereto.

Would further state, that with the exception of some 30 bbls. whiskey purchased from the Government, this is the only large lot of liquor these parties ever had in their possession up to the date of seizure. All their accounts of the large lot of liquor mentioned in their evidence, is of their own coinage, and entirely untrue.

The brigantine "Judge Hathway" landed some 30 or more bbls. whiskey, but who received it I cannot state. The Captain told me he landed it : also told me of his difficulty with the Commanding General.

As regards Governor Peirpoint's knowledge of what is transpiring in and about Norfolk, Mr. Daniels himself told me that both he and Mr. Zantzinger were continually posting the Governor, and were using every endeavor to effect the removal of General Butler, and hoped some day to be successful.

In the course of a few days I may be able to furnish you with some information more important than this (if desired.)

Yours respectfully.

[Signed,] \_\_\_\_\_

P. S.—This whiskey was carted from store to vessel by a cartman named George Pettinger, who may be found at No. 36, South street.

Please direct your communication to my name, Station D, P. O.

[Signed.] \_\_\_\_\_

New York, June 1st, 1864.

OFFICIAL COPY.

A. F. PUFFER, Captain and A. D. C.

# EXAMINATION AND STATEMENT OF JOHN F. DANIELS, ESQ.

*General.* I desire, Mr. Daniels, to ask you a few questions; and, from their nature, you will know that I know the truth in regard to the matter, and I shall therefore not need to say to you that I expect the whole truth from you in answering me.

*Daniels.* I will answer you all questions truthfully.

*Gen.* On the 28th of October, 1863, your firm purchased, in the name of Chas. H. Pierson, from John Scrymser & Co., of No. 124 Front street, New York, certain liquors amounting to seventy-five barrels.

*Daniels.* I am not sure—I think so; yes, sir.

*Gen.* Mr. Zantzinger was there in person, superintending the putting of them up and the shipping of them, was he not?

*Daniels.* He was there. I presume he was attending to that business.

*Gen.* He was there for that purpose?

*Daniels.* I presume so, sir.

*Gen.* You know whether he was there or not?

*Daniels.* I know that he was there and that we received about 75 barrels of liquor. I don't know where it was bought—we paid Pierson for it. Mr. Pierson was at 74 South street.

*Gen.* Your bill rendered was : A. G. 1 bbl. Apple Brandy, B. C. 5 bbls. Apple Brandy, A. 3 bbls. Whiskey, B. 8 bbls. do., C. 14 bbls. do., D. 40 bbls. do., and also 4 bbls. Whiskey, independent of the above, making in all 75 bbls. of liquor.

A. I think so.

*Q.* All the above barrels were marked across the heads, with stencil plate, "Cider Vinegar," were they not ?

A. Yes, sir.

*Q.* The permit under which those goods were shipped called for 50 bbls. of vinegar, and this whiskey was shipped as vinegar ?

A. Yes, sir.

*Q.* And a duplicate spurious invoice for 40 bbls. of vinegar was furnished ?

A. Yes, sir, that seems to be true.

*Q.* There was also shipped on board the same vessel—the schooner L. B. Cowperthwaite, Henry Rogers, Master—which vessel lay at the pier, foot of Franklin street, North River, New York, and was cleared at the Custom House on the 31st of October, and sailed from there on the 4th of November, and reached Norfolk on the 7th of November—

A. I can't tell the exact dates, but think you are right.

*Q.* And there was shipped on board the same vessel one thousand (1000) sacks of salt, when your permit only called for 550 sacks.

A. That was so, sir.

*Q.* Then you paid Lieutenant Sewall of the Revenue Service \$700 to pass this cargo in ?

A. Yes, sir ; that was his own offer, previously arranged.

*Q.* And, with the exception of some 30 bbls. of whiskey which you purchased of Captain Ludlow, Quartermaster at Norfolk, this lot of 75 bbls. was the only large lot of whiskey you had since the evacuation of Norfolk by the rebels ?

A. Yes, sir.

*Q.* The whiskey that was seized by the Provost Marshal in your shed was the shipment of the Cowperthwaite ?

A. Yes, sir, I think it was.

*Q.* There is no doubt about that, is there ?

A. No, sir, I think not.

(Signed,)

J. F. DANIELS.



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HEAD QUARTERS  
DEPART. OF VIRGINIA & N. CAROLINA.

*June 9th, 1864.*

Then personally appeared the said J. F. Daniels and made oath that the foregoing statement by him subscribed is true—before me.

(Signed,)

P. HAGGERTY,

*Major and A. D. C., Provost Judge.*

OFFICIAL COPY :

SIDNEY B. DE KAY,

*Lieutenant and Aide-de-Camp.*

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STATEMENT OF MR. FRANCIS ZANTZINGER.

In the month of October last there were 75 barrels of liquor bought in the city of New York, from John Scrymser & Co., in the name of C. H. Pierson, and shipped on board the schooner L. B. Cowperthwaite, then lying in the North River.

That liquor came to my premises in Norfolk. The barrels were marked across the heads, with a stencil plate, "*Cider Vinegar*."

A portion of the whiskey so marked "*Cider Vinegar*" is that that was seized by the United States officers upon our premises.

There was also shipped upon the same vessel 1000 sacks of salt.

We had a permit for only 550 sacks. The rest of the cargo consisted of coal, fish, &c.

Mr. Sewall, Second Officer of the Revenue Cutter, received seven hundred dollars for permitting the liquor to go up.

I do not know who paid it. Presume Mr. Daniels did. I did not pay it. I think it was reckoned in our accounts. I so understood from my partner.

We never thought of bringing the liquor in until Mr. Sewall made the proposition to us.

We were told that it would not be prudent to allow every one to sell liquor in Norfolk; but that if we could get it, then there would be no difficulty about selling it, if we only sold it properly, and did not allow any of it to be sold to soldiers.

My recollection of the salt transaction is that our permit called for a thousand sacks, and was so approved at Fort Monroe, but was curtailed to five hundred and fifty afterwards; but the one thousand sacks were purchased and shipped, as I afterwards learned.

(Signed,)

F. ZANTZINGER.

HEAD QUARTERS  
DEPART. OF VIRGINIA & N. CAROLINA,  
IN THE FIELD, *June 7th*, 1864.

Then personally appeared F. Zantzinger and made oath that the foregoing statement, by him subscribed, was true—before me.

(Signed,)

P. HAGGERTY,  
*Major and A. D. C., Provost Judge.*

OFFICIAL COPY :

A. F. PUFFER,  
*Captain and Aide-de-Camp.*

HEAD QUARTERS  
DEPART. OF VIRGINIA & N. CAROLINA,  
IN THE FIELD, *June 20th*, 1864.

STATEMENT OF CAPT. HENRY C. ROGERS, MASTER OF THE  
SCHOONER "L. B. COWPERTHWAITHE."

I have been Master of the Schooner "L. B Cowperthwaite" about seven years in September next. In June, 1863, my schooner was chartered by Charles Pierson, of New York city, for Messrs. Zantzinger & Co., of Norfolk, Va., to go to Norfolk and return, with merchandise, for which I received the sum of \$1,500 as freight.

On leaving Norfolk I was offered by Zantzinger & Co. the sum of \$1,000 to bring a lot of whiskey from New York to Norfolk. I declined the offer. On being discharged at New York, I was again applied to by Mr. Zantzinger, who asked me if I had made up my mind to take the \$1,000. I told him I had not. He then asked me if I would allow him to ship on board my vessel what he wanted to, I to have no knowledge of what he might so ship? I told him no at first; but before she was loaded he asked, "Will you let me do as I want to?" Finally I said I would. The whiskey, consisting of some thirty-two or thirty-five barrels, besides ales and wines, was then put on board, and was carried to and delivered at Norfolk. I do not recollect whether it was at New York or at Norfolk that I was told by some one of the firm of Zantzinger & Co. that Lient. Sewall, of the Revenue service, then on duty at Fortress Monroe, Va., had knowledge of the fact that said liquors were aboard. But I was told that, at either the one place or the other, and Lieut. Sewall went from Fortress Monroe to Norfolk in my vessel as I

went up. On or about the 1st of October following, Mr. Zantzing came to New York and chartered my vessel again, at the same sum of \$1,500 for the round trip, and also told me that he had another lot of merchandise (meaning liquors,) to go to Norfolk, for the carrying of which he would pay me the same sum as before, to wit : \$1,000. The \$1,500 in each instance was for the vessel, and the \$1,000 for me. Aside from the liquors the cargo consisted of various other merchandise, and one thousand sacks of salt. There were put on board fifty barrels, marked " Vinegar," of which some 40 or 45 contained whiskey. There were also put on board ale and wine barrels, but in what quantities or number I am unable to state. The permit of this cargo I never saw. I knew nothing as to the quantity of salt allowed by the permit until I got to Fortress Monroe, when Lieut. Sewall said to me, " You have four hundred and fifty more sacks of salt on board than your permit calls for." I told him I knew nothing about that, when he said, " It would be all right."

I went to Norfolk and commenced discharging cargo. While discharging, one of the firm of Zantzing & Co., Mr. Daniels, came to me and said that " Lieut. Sewall had said there were too many barrels going in here, and more than he knew of," and he should have to pay or give him more. I told him very well. Out of my \$1,000 they paid me but \$750, and I suppose they paid the other \$250 to Lieut. Sewall. So that I received in all for carrying in the liquors \$1,750.

HENRY C. ROGERS.

HEAD QUARTERS

DEPART. OF VIRGINIA & N. CAROLINA.

IN THE FIELD, *June 21st, 1864.*

Then personally appeared the above named Henry C. Rogers, who made oath to the truth of the foregoing statement, by him subscribed before me.

P. HAGGERTY.

*Major and A. D. C.*

STATEMENT OF WILLIAM KNIGHT.

HEAD QUARTERS

DEPART. OF VIRGINIA & N. CAROLINA.

IN THE FIELD, *June 10th, 1864.*

*General.* You were clerk for Zantzing & Co.?

*Knight.* Yes, sir.

Q. When did you commence as clerk for Zantzinger & Co.?

A. July, sir.

Q. Been clerk there ever since?

A. Yes, sir.

Q. What is your business?

A. Clerk.

Q. Are you book-keeper?

A. No, sir. Mr. Whiting is book-keeper.

Q. What is your department?

A. Selling goods.

Q. That all?

A. Yes, sir.

Q. You testified, sir, in the case of Zantzinger & Co., tried before my Provost Court, that "For a little more than six months last past I have been a clerk for Zantzinger & Co. When I came there they had a large quantity of whiskey on hand. They have received no whiskey from any source since I have been living with them. If they had received any since I have been with them, I should certainly have known it, as I am cognizant of all their business matters. I have not been employed there except in the daytime; my duties have not kept me there at night; but I know that all the liquor on their premises was there when I came there to act as clerk. They built the shed to relieve the foundation of the store of too much weight, and put the whiskey in the shed, with other goods, as soon as it was finished."

A. Yes, sir. I am sorry that I did it. It is the first time that I ever did anything of the kind, and I hope to God it will be the last. It has worried me ever since. I will tell you now the truth about the matter.

Q. About the 7th of November last did they receive liquors from New York, on board the schooner "L. B. Cowperthwaite," Henry Rogers, Master?

A. Yes, sir.

Q. How many barrels?

A. The last trip, I think, seventy odd barrels.

Q. These barrels were marked "eider vinegar?"

A. Yes, sir.

Q. Where were they put?

A. In a shed.

Q. Did they go into the loft?

A. Some of them went into the loft?

Q. Did those that were in the shed ever go into the loft?

A. No, sir.

Q. Did they have any other whiskey than this on hand, save that they procured from General Viele?

A. No, sir. They had some whiskey on hand before I went there.

Q. The fifty-three (53) barrels that were found in their shed were a part of the "Cowperthwaite's" cargo?

A. I presume so, sir.

Q. Had they any considerable amount of whiskey on hand besides what came in the "Cowperthwaite"?

A. No, sir.

Q. Did you know how much they paid Lieutenant Sewall for smuggling, or permitting to be smuggled, in that whiskey?

A. No, sir.

Q. Do you know that anything was paid him?

A. No, sir.

Q. Do you know about the one thousand (1000) sacks of salt that were brought in at the same time?

A. No, sir.

Q. You had no doubt at the time that that liquor was smuggled in?

A. I had no doubt of it.

Q. At whose instance and suggestion did you go into Court and tell these untruths on the stand? Who wanted you to go there and tell these stories?

A. The firm. They did not want me to go back on them.

Q. Did you talk over with them, or either of them, what you should say there?

A. I think I did, sir.

Q. Don't you know whether you did or not?

A. Yes, sir, I did.

Q. Then what you said there was untrue, and they knew it, and you knew it?—the statement that they had not received any whiskey from any source since you had been with them?

A. Yes, sir.

Q. And it was also untrue that all the liquor that they had on hand they had when you first came to them to act as clerk?

A. Yes, sir.

Q. Do you know which one it was you talked this matter, of what you should testify to, over with?

A. Both, sir.

Q. And then, they knowing the fact that that liquor was smuggled in, and that your testimony was to be false, deliberately put you on the stand to swear falsely, did they?

A. Yes, sir. I erred then. It has worried me ever since. I have not had a quiet conscience since then.

(Signed.)

WM. KNIGHT.

HEAD QUARTERS  
DEPART. OF VIRGINIA & N. CAROLINA.  
IN THE FIELD, *June 9th, 1864.*

Then personally appeared the said William Knight, and made oath to the truth of the foregoing statement—before me.

(Signed.)

P. HAGGERTY.

*Major and A. D. C., Provost Judge.*

OFFICIAL COPY :

H. C. CLARKE,

*Captain and Aide-de-Camp.*

MAJOR GENERAL B. F. BUTLER,

*Commanding Depart. of Virginia and N. Carolina :*

*General*—During my interview with you on Monday evening, you stated that you knew, at the time of our trial, everything relative to the reception of our liquors, and rendered the sentence in accordance with that information. But, in consequence of Governor Peirpoint's pamphlet, you have determined to revive the trial and inflict additional punishment.

Such being the case, will you not allow us to prove to your satisfaction that we, so far from having been accessory to it, were surprised and displeased that our name was associated with the pamphlet without our knowledge or consent. Mr. Daniels wrote one or two letters to Peirpoint, imploring and demanding, as an act of justice to us, that our name be not associated with any publication that he might have in view. At least such is what Mr. D—— told me was the tenor of his letter, immediately on hearing of it. Not either hearing from or the reply of Peirpoint not being satisfactory, he left Norfolk to visit Alexandria, to use his best endeavors to the same end. Mr. Todd and Mr. Chamberlin are cognizant of the above facts, as likewise that we had requested one or both of them to get Colonel Shaffer, Chief of your Staff, to inform you how much we were concerned about the issue, and our entire disapprobation of the whole affair.

Fearing you may think my intimacy and influence with the Governor had something to do with its publication, I will state that, to the best of my knowledge and belief, the Governor was never in my house but once, at which time I invited Judge Snead, Mr. Todd, Mr. Chamberlin, and Captain Gasson of the "Brandywine." This was the first and last time that he was in my house, and will tend to explain why my intimacy and influence with him was considered by him not of sufficient importance even to notify me what his intentions were. Such being the case, General, how can you blame me for the action of another, over whom I had no control or knowledge of his views and actions? Thinking that you have been prejudiced against us by some misinformed or evil-disposed person, I deem it a duty to make known to you what I believe to be facts.

If you think I have in any manner attempted to displease you, I am prepared cheerfully to make any reparation consistent with your sense of justice and propriety.

Very respectfully, your obedient Servant,

(Signed.)

F. ZANTZINGER.

OFFICIAL COPY :

A. F. PUFFER,

*Captain and Aide-de-Camp.*

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NORFOLK, *June 10th.* 1864.

MAJOR GENERAL B. F. BUTLER,

*Commanding Depart. of Virginia and N. Carolina :*

Sir—We have this day forwarded a communication to Governor Peirpoint, enclosed of which is a copy.

Very respectfully, your obedient Servant,

(Signed.)

F. ZANTZINGER & CO.

OFFICIAL COPY.

A. F. PUFFER, Captain and A. D. C.

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NORFOLK, VA., *June 10th,* 1864.

GOVERNOR F. H. PEIRPOINT, Alexandria, Va.

Sir:—In a pamphlet recently published by you, we notice with much surprise and deep regret the proceedings and findings in our case and your comments thereon.

Acknowledging that the sentence passed on us in January last was just and proper, under the circumstances, we deeply deprecate the course you thought proper to pursue in giving publicity to the trial without consulting our wishes or interest in your proceeding, thereby casting unjust aspersions on General Butler's decision..

We deem it a duty to say that in your publication of the pamphlet in question, injustice has been done him, certainly so far as our case is concerned, and beg that through the same channel, or some other equally efficient, you will use every effort in your power to counteract any unjust impressions which may have been caused by said publication.

Very respectfully, your ob't serv'ts,

(Signed,) F. ZANTZINGER.

(Signed,) J. F. DANIELS.

OFFICIAL COPY.

A. F. PUFFER, *Capt. and A. D. C.*

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## COMMONWEALTH OF VIRGINIA.

ADJUTANT GENERAL'S OFFICE.

ALEXANDRIA, VA., *June 14, 1864.*

FRANK ZANTZINGER, Esq., Norfolk, Va.

*Sir:*—You ask me to state whether “you had any knowledge, when I was in Norfolk last March, that I was going to make any publication in regard to Gen. Butler's military administration in that district.”—I answer distinctly no,—you knew nothing about it. I had a conversation with you, in which I asked you some questions in regard to the facts in your case. I saw Mr. Daniels before I saw you, and asked him if he could get a copy of the evidence for me. He informed me he had a copy,—I asked him for it, and pressed the matter. At one time I thought he was not going to give it to me, and went to see him about it at his store. I intended to call on the Provost Marshal for a copy if he had not given me one. I am satisfied he did not know the use that I was going to make of it. I had the pamphlet prepared while the Convention was in session here, and the members knew the contents of it. I freely talked with them on the subject. When they returned home, I received a letter from Mr. Daniels protesting against his and your name appearing in connection with the publication, stating that he had heard such a publication would soon appear in which the testimony in your



case would be published, assigning as his reason therefor that he was in business, and was fearful it might interfere with his business relations, &c.

I considered the trial and testimony were public matters, and that neither you or he had no right to prevent their publication, and published it. I am satisfied that neither of you knew anything about the use I was going to make of the information I got from you, and as far as my memory serves, I got no information from either of you in relation to anything else I published. I went in all cases to the parties themselves for information,—where I could get to them, and generally gave their names.

I am yours, &c.,

F. H. PEIRPOINT.

## TRIAL OF THE WHISKEY SMUGGLERS.

### Head Quarters

### Department of Virginia and North Carolina.

GENERAL ORDERS }

No. —.

IN THE FIELD, VA..

1864.

...Before a Military Commission, which convened at Head Quarters Department of Virginia and North Carolina, In the Field, June 24, 1864, pursuant to Special Orders, No. 171, dated Head Quarters Department of Virginia and North Carolina, In the Field, June 24, 1864, and of which Major B. C. LUDLOW, Inspector of Cavalry, is President, were arraigned and tried :

1st.—Lieut. HARTLEY W. SEWALL, an officer in the Revenue Service of the United States.

#### CHARGE I.

*Malfeasance in the discharge of his duty.*

*Specification*—In this : That he, the said Lieut. Hartley W. Sewall, an officer in the Revenue Service of the United States, on duty in the Department of Virginia and North Carolina, did wilfully and in violation of his duty, permit to be smuggled into the said Department of Virginia and North Carolina, in violation of the

laws thereof, and of the laws of the United States, without license or permit, seventy-five (75) barrels of whiskey, or thereabouts, owned by Frank Zantzinger and John F. Daniels, doing business under the name and style of Zantzinger & Co., and did wilfully and illegally, as aforesaid, permit said whiskey to be landed from the schooner L. B. Cowperthwaite, at the city of Norfolk, and be conveyed to the ware-house of the said Zantzinger & Co. This at Norfolk, Va., on or about the 7th of November, 1863.

## CHARGE II.

### *Bribery.*

*Specification*—In this : That he, the said Lieut. Hartley W. Sewall, an officer in the Revenue Service of the United States, and on duty in the Department of Virginia and North Carolina, did wilfully and fraudulently, and in violation of his duty, receive from one Frank Zantzinger and John F. Daniels, merchants of Norfolk, doing business under the firm and style of Zantzinger & Co., the sum of seven hundred and fifty dollars (\$750), or thereabouts, as a bribe, for and in consideration that he, the said Hartley Sewall, should fraudulently, illegally, and in violation of his duty as Revenue Officer, as aforesaid, and contrary to the laws of the said Department of Virginia and North Carolina, and of the laws of the United States, and without license or permit, allow to be entered and smuggled into the Department seventy-five barrels of whiskey, or thereabouts ; and in that he, the said Hartley Sewall, did, in consideration of the said bribe, wilfully, fraudulently, and illegally permit the said whiskey to be illegally smuggled, landed from the schooner “L. B. Cowperthwaite” at the city of Norfolk, and to be conveyed to the warehouse of the said Zantzinger & Co., in said Norfolk. This at Norfolk, Va., on or about the 7th of November, 1863.

## CHARGE III.

### *Perjury in a military court.*

*Specification*—In this : That he, the said Lieut. Hartley W. Sewall, an officer in the Revenue Service of the United States, and on duty in the Department of Virginia and North Carolina, having been duly sworn in the Provost Court of the Department of Virginia and North Carolina, a military court legally appointed and duly held, and of competent jurisdiction in the said Department, by Major J. L. Stackpole, Provost Judge, that he would tell the truth, the whole truth, and nothing but the truth, so help him

God ; and in that he, the said Sewall, having been so sworn as a witness for the defence in the case of the United States against Frank Zantzinger and John F. Daniels, the said defendants being charged with fraudulently concealing from the officer of the Provost Guard of the city of Norfolk an amount of whiskey, consisting of fifty-three barrels, the said whiskey being fraudulently passed into the Department, and fraudulently concealed, to the prejudice of good order and military discipline in said Department, at Norfolk, Va., on or about the 1st of January, 1864—a cause of which the said court had competent jurisdiction—did wilfully, feloniously, and falsely testify “ that he had been very strict, and as active as possible in searching vessels for contraband goods ; that he had suspected vessels consigned to Zantzinger & Co. with having contraband goods concealed on board, but, upon search and inquiry, had always found himself mistaken ; that he wished it understood that in all action he had taken in that investigation his feelings had been enlisted in behalf of the government by whom he was employed, and that he had not been and was not influenced in the least by any friendship for Zantzinger & Co. ; and that, on the other hand, he had not sought to injure them more than his duty might require him to do ; ” the said testimony pertinent to the issue of said cause being false, and known to the said Sewall to be so ; for that whereas the said whiskey was a portion of a certain amount of seventy-five barrels previously, to wit : on the 7th day of November, 1863, fraudulently smuggled into the said Norfolk by the said Frank Zantzinger and John F. Daniels, and known by him, the said Sewall, to be so ; and whereas he, the said Sewall, had, on or about the 7th of November, 1863, wilfully and fraudulently, and in consideration of a bribe of seven hundred and fifty dollars (\$750), or thereabouts, illegally and fraudulently, in violation of the laws of the Department of Virginia and North Carolina, and of the laws of the United States, and without license or permit, allowed said whiskey to be smuggled into said Department, as aforesaid. This at Norfolk, on or about the 1st of January, 1864.

To which charges and specifications the accused pleaded as follows :

To the *Specification 1st Charge*, ‘ Guilty.’

To the *1st Charge*, ‘ Guilty.’

To the *Specification 2d Charge*, ‘ Guilty.’

To the *2d Charge*, ‘ Guilty.’

To the *Specification 3d Charge*, ‘ Guilty.’

To the *3d Charge*, ‘ Guilty.’

The Court, having maturely considered the pleas of the accused and his statement, confirmed the pleas, and found him—

Of the *Specification 1st Charge*, ‘Guilty.’

Of the *1st Charge*, ‘Guilty.’

Of the *Specification 2d Charge*, ‘Guilty.’

Of the *2d Charge*, ‘Guilty.’

Of the *Specification 3d Charge*, ‘Guilty.’

Of the *3d Charge*, ‘Guilty.’

And the Court do, therefore, sentence him, the said Lieut. Hartley W. Sewall, United States Revenue Service,—‘*That he be cashiered, and be confined at hard labor for a period of ten (10) years, at such Penitentiary as the President of the United States may designate.*’

2d.—HENRY CLAY ROGERS, Master of the Schooner L. B. Cowperthwaite.

#### CHARGE I.

*Smuggling goods into the Department of Virginia and North Carolina.*

*Specification*—In this: That he, the said Henry Clay Rogers, Master of the schooner L. B. Cowperthwaite, did wilfully, fraudulently and illegally smuggle into the Department of Virginia and North Carolina, on board the said schooner L. B. Cowperthwaite, seventy-five barrels of whiskey, or thereabouts, the property of one Frank Zantzinger and John F. Daniels, citizens of Norfolk, doing business under the firm and style of Zantzinger & Co., and did wilfully cause to be landed the said whiskey at the city of Norfolk, Va., in violation of the laws and regulations of the Department of Virginia and North Carolina, and of the laws of the United States, and without license or permit. This at Norfolk, Va., on or about the 7th day of November, 1863.

#### CHARGE II.

*Bribery.*

*Specification*—In this: That he, the said Henry Clay Rogers, Master of the schooner L. B. Cowperthwaite, did agree to receive from Frank Zantzinger and John F. Daniels, citizens of Norfolk, doing business under the firm and style of Zantzinger & Co., the sum of one thousand dollars, (\$1000,) or thereabouts, as a bribe, for and in consideration that he, the said Henry C. Rogers, should fraudulently and illegally smuggle into the Department of Virginia and North Carolina, on board the schooner L. B. Cowperthwaite, seventy barrels of whiskey, the property of the

said Zantzinger & Co., in violation of the laws and regulations of the said Department, and the laws of the United States, and without license or permit, and in that he, the said Henry C. Rogers, did fraudulently and illegally, as aforesaid, smuggle said whiskey into the said Department as aforesaid, and did receive from them, the said Frank Zantzinger and John F. Daniels, the said bribe of one thousand dollars, in consideration therefor. This at Norfolk, Va., on or about the 8th of November, 1863.

To which charges and specifications the accused pleaded as follows :

To the *Specification 1st Charge*, 'Guilty.'

To the *1st Charge*, 'Guilty.'

To the *Specification 2d Charge*, 'Guilty.'

To the *2d Charge*, 'Guilty.'

The Court, after having maturely considered the pleas of the accused and his statement, confirm the pleas, and find him as follows :

Of the *Specification 1st Charge*, 'Guilty.'

Of the *1st Charge*, 'Guilty.'

Of the *Specification 2d Charge*, 'Guilty.'

Of the *2d Charge*, 'Guilty.'

And the Court do, therefore, sentence him, Henry C. Rogers, as follows,—*'That he be fined the sum of two thousand dollars (\$2,000), or that, in default of the payment of said fine, he be confined at hard labor for the period of sixteen (16) months, at such place as the Commanding General may direct.'*

II.—The proceedings, findings, and sentence in the case of Lieutenant HARTLEY W. SEWALL are approved. The culpability of the convict is much enhanced from his official position, holding a high and responsible position in the Revenue Service. Set to guard the interests of the United States, he was false to that duty, received a bribe to cover the very transaction he was set to discover, and then added the still more heinous crime, if possible, of perjury, to cover his own guilt and the guilt of the parties, Zantzinger and Daniels, with whom he was in complicity, with a degree of hypocrisy that shows that he must be bad at heart; and to give his perjured testimony weight with the Court, he testified as follows :

"I want it understood that in all action I have taken in this investigation, my feelings have been enlisted in behalf of the Government, by whom I am employed. That I am not influenced in the least by any friendship for Zantzinger & Co.," the very parties whose corrupt bribe of \$750 he had in his pocket at the very time he gave this perjured

testimony. The sentence will be executed in such Penitentiary as the President of the United States may direct. If it were left to the election of the General Commanding, he would select the State Prison at Charlestown, Mass., of which State, he is sorry to say, SEWALL is a native. Until such direction is given by the President of the United States, SEWALL will be committed to the Superintendent of Prison Labor, at Norfolk, to be there employed.

III....The proceedings, findings and sentence in the case of HENRY CLAY ROGERS, Master of schooner L. B. Cowperthwaite, are approved. The prisoner will be sent to Norfolk, and there put at hard labor, under care of Superintendent of Prison Labor, till the fine is paid.

By Command of Major General B. F. BUTLER :

R. S. DAVIS,

*Major and Assistant Adjutant General.*

OFFICIAL :

*Captain and Aide-de-Camp.*

## GEN. BUTLER.

FROM THE NORFOLK, VA., NEW REGIME OF SATURDAY, JUNE 25, 1864.

Never before, since the beginning of the war, has a commander of a department been so honored as was Gen. Butler yesterday, by the citizens of Norfolk. In the face of the written slanders of Peirpoint, the verbal back-biting of civil office-holders, and the perjury and conspiracy of whiskey smugglers, the people went to the polls, and decided by a vote of 314 to 16, that they preferred the military government, as administered by General Butler and General Shepley, to that of the dishonest and corrupt so-called "restored government" of Peirpoint and Brooks. This seems to us a most thorough vindication of General Butler and his administration in the Department of Virginia and North Carolina.

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## PEIRPOINT REPUDIATED.

FROM THE NORFOLK, VA., NEW REGIME OF SATURDAY, JUNE 25, 1864.

The disclosure made in this journal yesterday, of the management of State and city affairs, under Governor Peirpoint and Mayor Brooks, did not take anybody by surprise. The citizens of Norfolk have, for over a year back, been complaining of the extortions of the civil authorities; and as early as February, a deputation of citizens waited upon the military authorities, and asked that the civil government be set aside. Gen. Butler was unwilling to interfere in the matter. He was assured that the majority of the voters were anxious that such a step should be taken. More urgent matters came up; and General Butler went into the field. Soon after, Gen. Shepley assumed command, and he was likewise urged to set aside the extortionate civil government—which did nothing but collect taxes and expend the money among unemployed office-holders. Four days ago, Gen. Shepley, in compliance with the public wishes, issued the following order:

Many loyal citizens of Norfolk having represented to the military authorities in this Department that they do not desire a continuance of the Municipal Government that has heretofore been recognized by the Commanding General, it has been determined before any final action is taken upon those petitions to take an expression of the preference of the citizens themselves at the polls.

On the day of the ensuing municipal election in the city of Norfolk, a poll will be opened at the several places of voting, and separate ballot boxes will be kept open during the hours of voting, in which voters may deposit their ballots. "Yes," or "No." upon the following question :

Those in favor of continuing the present form of municipal government, during the existence of military occupation, will vote "Yes."

Those opposed to it will vote "No."

Persons otherwise entitled to vote, and who have taken the oath required in the Amnesty Proclamation of the President, will not be considered as disqualified from voting on this question by reason of their not having taken any other oaths, but will be allowed to vote upon this question if qualified in other respects.

The Provost Marshal will appoint persons to receive and count and declare these votes, in case the Commissioners of Election or other officers presiding at the polls shall fail to do so.

Yesterday being the day fixed for the annual election of Mayor of Norfolk, the citizens decided the question submitted to them. The majority against the civil rule is *three hundred and fourteen*. We give the full vote, as follows :

	Suspension of Civil Government.	Continuance of Civil Government.
1st Ward.....	56	..
2d Ward.....	57	16
3d Ward.....	108	..
4th Ward.....	109	..
	<hr/> 330	<hr/> 16
		<b>TOTAL.</b>
Suspension of Civil Government.....		330
Continuance of Civil Government.....		16
		<hr/>
Majority for Suspension of Civil Government.....		314

The following table covers the vote for the contending candidates for the succession of Mr. Brooks :

#### VOTE FOR MAYOR.

	Belote.	Stone.
1st Ward.....	14	12
2d Ward.....	13	8
3d Ward.....	13	11
4th Ward.....	17	21
	<hr/> 57	<hr/> 52
		<b>TOTAL.</b>
Belote.....		57
Stone.....		52
		<hr/>
Majority for Belote.....		5





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